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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/590,075	06/09/2000	Eiji Ueda	2000 0727A	9068

7590 02/20/2004

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EXAMINER

PATEL, HARESH N

ART UNIT PAPER NUMBER

2154

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/590,075

Applicant(s)

UEDA ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 32-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. Claims 32-37 are presented for examination.

#### ***Priority***

2. Applicant needs to submit translated copies of the claimed foreign priority. Also the section "CROSS-REFERENCE TO RELATED APPLICATIONS" of the specification should contain claimed foreign priority.

#### ***Response to Amendments***

3. Applicant's arguments with respect to claims 32-37 have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendments to the claims.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 32-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Hartson et al. 6,433,835 (Hereinafter Hartson).

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6. As per claims 32 and 37, Hartson teaches the following:

a broadcast data receiving method for receiving and outputting broadcast data including a plurality of multimedia data, said method comprising,

a broadcast data receiving device for receiving and outputting broadcast data including a plurality of multimedia data, said data device comprising:

a receiving unit (e.g., a personal computer with a television tuner receives the signals, col., 19, line 48 – col., 20, line 46) operable to sequentially (e.g., the sampled analog signal has been converted into a sequence of data, col., 11, lines 33 – col., 12, line 41) receive the plurality of multimedia data included in the broadcast data (e.g., an important system for accomplishing this is known as the Moving Picture Experts Group ("MPEG") standard. MPEG consists of a collection of techniques that can be selected depending on the nature of the application, col., 15, line 24 – col., 23, line 28) on a designated broadcast channel (e.g., A high speed data channel maximizes the value to the system, col., 19, line 48 – col., 20, line 46);

an outputting unit operable to output the received multimedia data (e.g., a personal computer with a television tuner receives the signals and displays the video in a small window, col., 19, line 48 – col., 20, line 46),

a storing unit operable to create and store management information for collectively managing the plurality of received multimedia data (e.g., the computer's hard disk can capture and store pages of interest. Since HTML pages are around 50 Kbytes each and most personal computers now come with at least a 1 GB hard drive, capacity is not a problem. In a major application of this technology, the pages downloaded pertain closely to the video programming.

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When several hundred pages are downloaded, the access speed during usage is governed by the hard disk, col., 19, line 48 – col., 20, line 46, a decoder comprising a data demodulator and a data extractor that extracts the digital information from an output of the demodulator. The decoding system further includes an output device coupled to the decoder, col., 21, line 43 – col., 23, line 28),

and attribute information corresponding to respective multimedia data (e.g., on-screen menu information and hyperlink selection information, col., 66, line 56 – col., 71, line 8); and

a managing unit operable to manage the received multimedia data with reference to the management information (e.g., a decoder comprising a data demodulator and a data extractor that extracts the digital information from an output of the demodulator. The decoding system further includes an output device coupled to the decoder, col., 21, line 43 – col., 23, line 28).

7. As per claims 33-36, Hartson teaches the following:

the attribute information is included in the broadcast data (e.g., on-screen menu information and hyperlink selection information, col., 66, line 56 – col., 71, line 8),

the attribute information includes information indicating data type of the multimedia data, and wherein said managing unit is further operable to refer to the management information and change a process for outputting the received multimedia data according to the data type (e.g., HyperText Markup Language (HTML) formatted Web pages are delivered in the VBI of the television signal. HTML is a method of linking information. Highlighted words or phrases can be "clicked on" and relevant information appears on the screen. In some cases, this is achieved by going to another location in the same document. In still other cases, data from another

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document is displayed. In still other cases, locations on the World Wide Web are automatically accessed and information retrieved. A personal computer with a television tuner receives the signals and displays the video in a small window. The rest of the screen displays the HTML pages, col., 66, line 56 – col., 71, line 8),

the data type includes at least an HTML format (e.g., col., 19, line 48 – col., 20, line 46),

the attribute information includes start-up information of the multimedia data (e.g., Highlighted words or phrases can be "clicked on" and relevant information appears on the screen, (e.g., col., 19, line 48 – col., 20, line 46, col., 21, line 43 – col., 25, line 54).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The

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examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

February 13, 2004



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100